

TO: Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450 or Commissioner of Trademarks P.O. Box 1451 Alexandria, VA 22313-1451	<div style="display: flex; justify-content: space-between;"> <div> SOLICITOR SEP 25 2008 </div> <div> REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK </div> </div>
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Colorado on the following

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
08-cv-02013-EWN-KLM	9/17/2008	FOR THE DISTRICT OF COLORADO
PLAINTIFF		DEFENDANT
ARTHUR A. COLLINS, INC.		QWEST COMMUNICATIONS INTERNATIONAL INC.

PATENT OR	DATE OF PATENT	HOLDER OF PATENT OR TRADEMARK
1 4,797,589 ^{c1}		Please see copy of Complaint attached hereto
2		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
GREGORY C. LANGHAM		

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

ARTHUR A. COLLINS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	
QWEST COMMUNICATIONS)	JURY DEMAND
INTERNATIONAL INC.,)	
)	
Defendant.)	

COMPLAINT

Plaintiff, Arthur A. Collins, Inc. ("Collins"), complains of Defendant Qwest Communications International Inc. ("Qwest"), as follows:

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of this Complaint pursuant to 28 U.S.C. §1338(a). Venue is proper in this judicial district under 28 U.S.C. §§1391 and 1400(b).

THE PARTIES

2. Collins is an Iowa Corporation with its principal place of business at 1303 Chickasaw, Richardson, Texas 75080.

3. Upon information and belief, Qwest is a Delaware corporation with its principal place of business at 1801 California Street, Denver, Colorado 80202.

GENERAL ALLEGATIONS

4. Collins is the owner of United States Patent No. 4,797,589 C1 ("the '589 patent").
5. The '589 patent originally issued on January 10, 1989, and was the subject of

Reexamination Certificate 4637th, which issued on September 10, 2002. The '589 patent is entitled "Dynamically Reconfigurable Time-Space-Time Digital Switch and Network".

6. Qwest has infringed, and continues to infringe the '589 patent, by, *inter alia*, using in this Judicial District SONET telecommunication networks interconnected with TST digital switches which are covered by the '589 patent.

COUNT I

PATENT INFRINGEMENT

7. Collins repeats and incorporates by reference the allegations set forth in paragraphs 1 through 6.

8. Qwest has infringed claims 1-2 of the '589 patent through, among other activities, using SONET telecommunication networks interconnected with TST digital switches, and selling and offering for sale services associated with such networks. Further, Qwest has, through its actions, knowingly contributed to or induced the infringement of the '589 patent in violation of 35 U.S.C. §§ 271(b) & (c).

9. Qwest's infringement has injured Collins, and entitles Collins to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

10. On information and belief, Qwest's infringement of the '589 patent is, and has been, willful.

11. No charge of infringement is being made by Collins herein against Qwest regarding any Lucent Equipment (defined as "any service or equipment manufactured, sold, leased or otherwise provided (directly or indirectly) by Lucent"), individually or in combination with other Lucent Equipment or Non-Lucent Equipment (defined as "any equipment that is not

Lucent Equipment").

WHEREFORE, Collins seeks the following relief in this case:

- a. That Qwest be ordered to pay damages adequate to compensate Collins for its infringement of the '589 patent, together with prejudgment interest and costs;
- b. That Qwest be ordered to pay treble damages and attorneys' fees pursuant to 35 U.S.C. §284 and 285; and
- c. That Collins be granted such other and additional relief against Qwest as the Court deems just and proper.

A JURY TRIAL IS REQUESTED

DATED this 17th day of September, 2008.

Respectfully submitted,

BRIAN D. SMITH, P.C.

/s/brian d smith
Brian D. Smith
Brian D. Smith, P.C.
1125 17th Street, Suite 600
Denver, Colorado 80290
303-523-0900
bsmith@coloradopatents.com

Rolf O. Stadheim, Bar No. 44380
Joseph A. Grear, Bar No. 44378
George C. Summerfield, Bar No. 40929
Keith A. Vogt, Bar No. 44379
Steven R. Pedersen, Bar No. 478693
STADHEIM & GREAR, LTD.

400 North Michigan Ave., Suite 2200
Chicago, Illinois 60611-4102
(312) 755-4400

Attorneys for Plaintiff
Arthur A. Collins, Inc.

Plaintiff's address:

Arthur A. Collins, Inc.
1303 Chickasaw
Richardson, Texas 75080